
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Alliance Communications Group)	File No. EB-FIELDWR-14-00013226
Licensee of Station WQCA755)	
)	
Mount Wilson, California)	NOV No. V201432900020
)	

NOTICE OF VIOLATION

Released: April 24, 2014

By the District Director, Los Angeles Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules),¹ to Alliance Communications Group (Alliance), licensee of radio station WQCA755 at Mount Lukens in Montrose, California. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On November 13, 2013, an agent of the Enforcement Bureau's Los Angeles Office, using direction finding techniques, located and inspected a fixed base radio and multiple mobile stations located at Southland Transit Inc., 14913 E. Ramona Blvd., Baldwin Park, California (Ramona Blvd Location). On November 18, 2013, using direction finding techniques, the agent located and inspected radio station WQCA755, licensed to Alliance at 123 CBS Lane, Mt. Wilson, California (Mt. Wilson Location). The following violations were observed:

- a. 47 C.F.R. § 1.903(a): "*General rule.* Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this section." At the time of the inspection the station was operating a repeater at the Mt. Wilson Location transmitting on 461.350 MHz and receiving on 466.350 MHz, which is not a frequency pair authorized by this license at this location. The agent also observed that the Ramona Blvd. Location base station and mobiles were operating pursuant to and under the authority of the Station WQC755 license and were

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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communicating with the Mt. Wilson Location repeater on the frequencies 466.350 MHz and 461.350 MHz. Monitoring also indicated that the mobile units in operation under this callsign were operating at locations beyond a 40 kilometer radius around Station WQC755's licensed site at Mt. Lukens in Montrose, California. This exceeds the area of operations set forth in the license. At the time of the inspection at the Mt. Wilson Location, the station was not using trunking technology and all communications between the base station on 461.350 MHz and mobile units on 466.350 MHz were on a single channel pair.

- b. 47 C.F.R. § 90.403(e) "Licensees shall take reasonable precautions to avoid causing harmful interference. This includes monitoring the transmitting frequency for communications in progress and such other measures as may be necessary to minimize the potential for causing interference." The agent observed no evidence of monitoring the transmitting frequency for communications in progress or any other measure to avoid interference by WQCA755.
- c. 47 C.F.R. § 90.425(a): "Stations licensed under this part shall transmit identification in accordance with the following provisions: (a) *Identification procedure*. Except as provided for in paragraphs (d) and (e) of this section, each station or system shall be identified by the transmission of the assigned call sign during each transmission or exchange of transmissions, or once each 15 minutes (30 minutes in the Public Safety Pool) during periods of continuous operation. The call sign shall be transmitted by voice in the English language or by International Morse Code in accordance with paragraph (b) of this section. If the station is employing either analog or digital voice scrambling, or non-voice emission, transmission of the required identification shall be in the unscrambled mode using A3E, F3E or G3E emission, or International Morse, with all encoding disabled." At the time of the monitoring, no identification of the station was observed by the agent.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violation and any remedial actions taken. Therefore, Alliance must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain the violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct the violations and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct Alliance to support their response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Alliance, verifying the truth and accuracy of the information therein,⁵ and confirming that all of

³ 47 U.S.C. § 308(b).

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Rules provides that "[a]ny document to be filed with the Federal Communications Commission

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the information requested by this Notice which is in the registrant's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Los Angeles Office
18000 Studebaker Rd., Suite 660
Cerritos, CA 90703

6. This Notice shall be sent to Alliance Communications Group at its address of record.

7. The Privacy Act of 1974⁷ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Charles A. Cooper
District Director
Los Angeles Office
Western Region
Enforcement Bureau

and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'." 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).